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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0506 MHP (JL)
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
SALVADOR RODRIGUEZ,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Salvador Rodriguez, the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from September 29, 2006, to October 16, 2006. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from September 29, 2006, to October 16, 2006, outweigh the best interest of the public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, at the hearing on September 29, 2006, the Court ordered that the period from September 29, 2006, to October 16, 2006, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED:

DATED: October 3, 2006

/s/
JOSH COHEN
Attorney for Defendant

DATED: October 2, 2006

/s/
ANDREW P. CAPUTO
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 10-6-06


HONORABLE JAMES LARSON
Chief United States Magistrate Judge